

Date: June 28, 2002

In re Application of: Vermin et al.
 Application No. 09/787,004
 Filed: May 23, 2002
 For: DAIRY PRODUCT AND METHOD FOR PREPARING SAME

COMMISSIONER FOR PATENTS
 Washington, D.C. 20231

MAILED
 JUL 23 2002
 GROUP 1700

Sir:

Transmitted herewith is a response to an office action in the subject application.

- ☐ Applicants claim small entity status of this application under 37 CFR 1.27.
- ☒ Petition for Extension of Time
- ☒ Applicants petition for a two-month extension of time under 37 CFR 1.136, the fee for which is \$400.00 (enclosed).
- ☐ Applicants believe that no petition for an extension of time is necessary. However, to the extent that such petition is deemed necessary, Applicants hereby petition for a sufficient extension of time to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.
- ☒ No additional claim fee is required.
- ☐ Other:

The claim fee has been calculated as shown below:

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT			HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADDIT CLAIM FEE	RATE	ADDIT CLAIM FEE
TOTAL	20	MINUS	20	=0	x 9=	\$	x 18=	\$0.00
INDEPENDENT	3	MINUS	3	=0	x 42=	\$	x 84=	\$
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM				+ 140=	\$	+ 280=	\$0.00
					TOTAL	\$	TOTAL	\$0.00

- ☐ Please charge my Deposit Account No. 12-1216 in the amount of \$. A duplicate copy of this sheet is attached.
- ☒ A check in the amount of \$400.00 is attached.
- ☒ The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216. A duplicate copy of this sheet is attached.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

LEYDIG, VOIT & MAYER, LTD.

By

Mark Joy, Reg. No. 35,562

Leydig, Voit & Mayer, Ltd.
 Two Prudential Plaza, Suite 4900
 180 North Stetson
 Chicago, Illinois 60601-6780
 (312) 616-5600 (telephone)
 (312) 616-5700 (facsimile)

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PATENT
Attorney Docket No. 209684

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Vermin et al.

Application No. 09/787,004

Filed: May 23, 2001

For: DAIRY PRODUCT AND METHOD
FOR PREPARING SAME

Art Unit: 1761

Examiner: Leslie Wong

8/B
07-31-02
OW.

RESPONSE TO OFFICE ACTION

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

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In response to the Office Action dated February 11, 2002, please enter the following amendments and consider the following remarks.

AMENDMENTS

IN THE CLAIMS:

Please amend claims 4, 13, and 14 as follows:

B1 4. (Twice Amended) The method according to claim 2, in which the bacterium originates from one of the following set of strains: *Micrococcus luteus*, *Arthrobacter*, *Corynebacterium* or *Arthrobacter ssp.*

B2 subC 13. (Amended) The method of claim 4 wherein the dairy product is thermized.

14. (Amended) The method of claim 5 wherein the dairy product is thermized.

REMARKS

The Present Invention

The present invention is directed to a method for preparing a dairy product. The method comprises a first step of treating a medium comprising milk or a milk product under aerobic conditions with a lactose-negative, food-technologically acceptable microorganism to render a treated medium comprising milk or milk product. The treated medium is then

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